

Powell Study Ends Without Indictment

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The Justice Department yesterday closed an 18-month grand jury investigation of payroll-padding charges against Adam Clayton Powell without seeking or obtaining an indictment.

In a statement last night the Department acknowledged reports that the grand jury's term was expiring and that this brought the criminal phase of the Powell case to a close.

The statement said:

"The grand jury which investigated the allegations against Mr. Powell expired today. The Department of Justice did not recommend an indictment, and none was returned. The Department concluded that available evidence did not warrant prosecution. The Department is studying the matter to determine

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whether there is civil liability."

Several congressmen had angrily demanded the indictment of Powell, once-powerful chairman of the House Education and Labor Committee, for putting friends, servants and his estranged wife on the payroll. Just as vigorously, civil rights leaders had told Attorney General Ramsey Clark that a prosecution would increase racial tensions in Powell's Harlem constituency.

Powell was ordered excluded from the 90th Congress because of payroll abuses and contempt of New York court orders. Last month the Supreme Court agreed to hear his petition for reinstatement.

Powell has been re-elected

to the 91st Congress. Although some House members have insisted that he again be denied his seat, sentiment for seating him as a freshman congressman has gained in recent months.

Word of the grand jury investigation reached the surface about 18 months ago with the publication in the Congressional Record of Justice Department-ordered subpoenas of Capitol Hill payroll records. Powell, in one of his rare departures from his Bimini Island retreat, made a personal appearance before the panel last year.

Yesterday was the deadline for new grand jury evidence to be offered to the expiring panel. Grand juries henceforth are to be selected under the recently enacted Federal

jury selection law, which broadens the base of citizen participation in both grand juries and trial juries.